REMARKS

The foregoing amendments and the following remarks are responsive to the August 8, 2007 non-final *Office Action*. Claims 1-14, 16-19, 52, 53, 57-63 and 65-95 were considered and rejected by the Examiner.

Claim Objections

(1) In paragraph 1 of the Office Action, the Examiner objected to the dependencies of Claims 10 and 11. Applicant has amended Claim 10, and believes that the Examiner's objection is now moot in light of the amendment.

(2) In paragraph 2 of the Office Action, the Examiner objected to the use of the phrase "by advancing and rotating through a flow coating" in Claim 80. Applicant has amended Claim 80 and believes that the Examiner's objection is now moot in light of the amendment.

Claim Rejections

35 USC 112, First Paragraph

(4) In paragraph 4 of the Office Action, the Examiner found that Claims 1-14, 16-19, 58-63 and 65-72 fail to comply with the written description requirement based on the term in Claim 1 reciting "about 0.05 to about 0.75 grams of the first thermoplastic epoxy resin." The Examiner pointed out that this was in reference to the amount of coating material per coating layer on a 24 gram preform. Applicant has amended Claim 1 and believes that the Examiner's objection is now moot in light of the amendment.

(5) In paragraph 5 of the Office Action, the Examiner found that Claims 1-14, 16-19, 58-63, and 65-72 fail to comply with the written description requirement based on the term in Claim 1 reciting "curing/drying the coated article with an irradiation source for about 5 to 60 seconds." Applicant has amended Claim 1 and believes that the Examiner's objection is now moot in light of the amendment.

(6) In paragraph 6 of the Office Action, the Examiner found that Claims 52-53 and 57 fail to comply with the written description requirement based on the term in Claim 52 reciting "applying an aqueous solution or dispersion comprising a first thermoplastic epoxy resin and an organic or phosphoric acid." The Examiner points out that the specification "discloses that epoxy resin solution/dispersions includes organic acid salts produced by the reaction of the epoxy resin with these acids." Accordingly, Applicant has amended Claim 52 and believes that the Examiner's objection is now moot in light of the amendment.

(7) In paragraph 7 of the Office Action, the Examiner found that Claims 1-14, 16-19, 58-63 and 65-72 were not enabled for deposition of "about 0.05 to about 0.75 grams of the first thermoplastic epoxy resin" on any size article. Applicant has amended Claim 1 and believes that the Examiner's objection is now moot in light of the amendment.

(8) In paragraph 8 of the Office Action, the Examiner found that Claims 1-14, 16-19, 58-63 and 65-72 were not enabled for "curing/drying the coated article with an irradiation source for about 5 to 60 seconds" on any size article. Applicant has amended Claim 1 and believes that the Examiner's objection is now moot in light of the amendment.

35 USC 112, Second Paragraph

(10) In paragraph 10 of the Office Action, the Examiner found that Claims 1-14, 16-19, 58-63 and 65-72 were indefinite with regard to the phrase "about 0.05 to about 0.75 grams of the first thermoplastic epoxy resin." Applicant has amended Claim 1 and believes that the Examiner's objection is now moot in light of the amendment.

(11) In paragraph 11 of the Office Action, the Examiner found that Claims 52-53 and 57 were indefinite based on the term in Claim 52 reciting "applying an aqueous solution or dispersion comprising a first thermoplastic epoxy resin and an organic or phosphoric acid." The Examiner points out that the specification "discloses that epoxy resin solution/dispersions includes organic acid salts produced by the reaction of the epoxy resin with these acids."

Accordingly, Applicant has amended Claim 52 and believes that the Examiner's objection is now moot in light of the amendment.

Nonstatutory Double Patenting

(13) In paragraph 13 of the *Office Action*, the Examiner rejected Claims 1, 9, 12, 14, 16-18, 52, 53, 57-60, 62, and 63 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,676,883 (the '883 patent) in view of U.S. Patent No. 6,350,796 to Dworak.

Applicants' independent Claim 1 is patentably distinguishable from the cited claims of the '883 Patent. For example, amended Claim 1 recites "applying an aqueous solution or dispersion of a first thermoplastic epoxy resin on the outer surface of an article substrate by dip, spray, or flow coating, the aqueous solution of the first thermoplastic epoxy resin comprising an *acid salt which is the reaction product of a thermoplastic epoxy polymer and* ***phosphoric acid***" This claim limitation is not disclosed by any of Claims 31-38 of the '883 Patent. Nor are these claim limitations disclosed in the cited portion of Dworak. Thus, Claims 31-38 and Dworak fail to teach or disclose, inter alia, all of the elements described in Claim 1.

Applicants' independent Claim 52 is patentably distinguishable from the cited claims of the '883 Patent. For example, Claim 52 recites "applying an aqueous solution or dispersion comprising *an acid salt produced by the reaction of a first thermoplastic epoxy resin and* ***phosphoric acid***." This claim limitation is not disclosed by any of Claims 31-38 of the '883 Patent. Nor are these claim limitations disclosed in the cited portion of Dworak. Thus, Claims 31, 32, and 34-38 and Dworak fail to teach or disclose, inter alia, all of the elements described in Claim 52.

Claims 2-9, 12, 14, 16-18, 53, 57-60, 62, and 63 depend from Claims 1 and 52 and further define what is claimed in the independent Claims 1 and 52. Claims 2-9, 12, 14, 16-18, 53, 57-60, 62, and 63 are patentably distinguished over the cited claims of the '883 patent and Dworak for at least the reasons set forth above with respect to Claim 1 and 52, as well as for novel and nonobvious features recited therein.

(14) In paragraph 14 of the *Office Action*, the Examiner rejected Claims 68-71, 74, 75, and 77 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,676,883 (the '883 patent) in view of U.S. Patent No. 6,350,796 to Dworak, and further in view of U.S. Patent No. 6,489,387.

Applicants' independent Claims 1 and 52 are patentably distinguishable from the cited claims of the '883 Patent and Dworak for the reasons stated above. Thus, dependent Claims Claims 68-71, 74, 75, and 77 are also patentably distinguishable at least for the reasons stated above with respect to Claims 1 and 52.

35 USC 103

Paragraphs 16-21

In paragraph 16 of the *Office Action*, the Examiner rejected Claims 1-12, 14, 16-19, 52-53, 57-63, and 65-79 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,393,106 to Maruhashi in view of U.S. Patent No. 5,472,753 to Farha, further in view of U.S. Patent No. 6,872,802 to Noda, and further in view of Dworak et al.

In paragraph 17 of the *Office Action*, the Examiner rejected Claims 8 and 13 under 35 U.S.C. § 103(a), as being unpatentable over Farha in view of Noda, and further in view of Dworak, and further in view of U.S. Patent No. 4,573,429 to Cobbs, Jr.

In paragraph 18 of the *Office Action*, the Examiner rejected Claims 9-12 under 35 U.S.C. § 103(a), as being unpatentable over Maruhashi in view of Farha, in view of Noda, further in view of Dworak et al., and further in view of U.S. Patent No. 5,079034 to Miyake et al.

In paragraph 19 of the *Office Action*, the Examiner rejected Claims 9-12 under 35 U.S.C. § 103(a), as being unpatentable over Maruhashi, in view of Farha, in view of Noda, and further in view of Dworak et al., and further in view of U.S. Patent No. 4,505,951 to Kennedy.

In paragraph 20 of the *Office Action*, the Examiner rejected Claims 80-88, 90-95 under 35 U.S.C. § 103(a), as being unpatentable over Maruhashi, in view of Farha, in view of Noda, further in view of Dworak et al., and further in view of U.S. Patent No. 4,505,951 to Kennedy, and further in view of Cobbs, Jr. et al.

In paragraph 21 of the *Office Action*, the Examiner rejected Claims 89 under 35 U.S.C. § 103(a), as being unpatentable over Maruhashi, in view of Farha, in view of Noda, further in view

of Dworak et al., and further in view of U.S. Patent No. 4,505,951 to Kennedy, and further in view of Cobbs, Jr. et al., and further in view of U.S. Patent No. 4,499,262 to Fagerburg et al.

Claims 1, 52, and 80

Applicants submit that amended Claim 1 includes limitations not disclosed or suggested by the combination of any of the cited references. For example, Claim 1 recites "applying an aqueous solution or dispersion of a first thermoplastic epoxy resin on the outer surface of an article substrate by dip, spray, or flow coating, the aqueous solution of the first thermoplastic epoxy resin comprising an ***acid salt which is the reaction product of a thermoplastic epoxy polymer and phosphoric acid***".

Applicants submit that amended Claim 52 includes limitations not disclosed or suggested by the combination of any of the cited references. For example, Claim 52 recites "applying an aqueous solution or dispersion comprising ***an acid salt produced by the reaction of a first thermoplastic epoxy resin and phosphoric acid***".

Applicants submit that amended Claim 80 includes limitations not disclosed or suggested by the combination of any of the cited references. For example, Claim 80 recites "applying an aqueous solution or dispersion of ***an acid salt that is the reaction product of a first thermoplastic epoxy resin and phosphoric acid***".

The Examiner has cited Dworak et al. for the proposition that it teaches that the basic groups of amino epoxy resins may be neutralized using certain acids, including formic acid, acetic acid, and lactic acid. However, Dworak does not specifically teach or suggest that phosphoric acid may be used to form the acid salt. Therefore, because all of the cited references fail to teach or suggest acids salts which are the reaction product of thermoplastic epoxy resins and phosphoric acids, the Examiner has failed to establish a *prima facie* case of obviousness.

Claims 2, 3-6, 7-14, 16-19, 58-72 depend from Claim 1, Claims 53, 57, and 73-79 depend from Claim 52, and Claims 81-95 depend from Claim 80. These dependent claims further define the inventions of Claims 1, 52, and 80. Thus, these dependent claims are also patentably distinguished over the cited references for at least the reasons set forth above with respect to Claims 1, 52, and 80, as well as for other novel and nonobvious features recited therein.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding *Office Action* are inapplicable to the present claims. Any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on solely that portion; rather, patentability must rest on each claim taken as a whole. Applicants do not concede or acquiesce to any of the rejections in the *Office Action*. Applicants have previously presented arguments concerning whether many of the secondary references can be properly combined in view of the clearly missing elements noted, as well as for other reasons. Applicants reserve the right to later contest whether the references establish a prima facie case of nonobviousness. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: _____

Stephen R. Jenkins
Registration No. 60,249
Attorney of Record
Customer No. 20,995
(949) 760-0404

4150879/knr
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